

**Remarks/Arguments**

Claims 1-17 are pending in the application. Claims 1-7 and 11-17 are rejected and claims 8-10 are objected to by the Examiner.

***Specification Objections***

The Examiner objects to the title as not being clearly indicative of the invention to which the claims are directed and writes that head parking should be include. The applicants have amended the title according to the Examiner's suggestion, to read:

**"METHOD AND SYSTEM OF STORING DATA  
IN INDEPENDENT MEMORIES USING PARKING"**

Withdrawal of the objection to the title is requested.

The Examiner objects to the specification for not complying with 37 CFR 1.71(b) by stating that "[t]he specification has been written in such a manner as to suggest that applicants have invented the concept of head parking..." (Office Action at Para. 3) The applicants have amended the specification's Background section to include reference to U.S. Patno. 6,317,296, an IDS reference filed concurrently with the application, which provides one example of the concept of head parking. Withdrawal of the objection is requested.

***Claim Objections***

The Examiner objects to claim 4 because "to" should be deleted from line 2. The applicants have amended claim 4

according to the Examiner's suggestion by deleting the word "to" and so request withdrawal of the objection to claim 4.

Additionally, the applicants assert that the amendment to claim 4 was made to overcome a clerical mistake, was not an amendment substantially related to patentability and was not made in view of cited or applied art.

The Examiner objects to claim 8-13 because "they do not properly explain whether 'master-slave data management system' refers to a relationship between two or more processor or between two or more memories or some other combination thereof." (Office Action at Para. 4b) The applicants have amended claims 8-13 to overcome the present objection. More particularly, they have replaced "master-slave data management system" with "apparatus" to avoid confusion. The applicants respectfully request withdrawal of the objections to amended claims 8-13.

Additionally, the applicants assert that the amendments to claims 8-13 were made to provide improved readability, were not amendments substantially related to patentability and were not made in view of cited or applied art.

### ***Claim Rejections***

35 U.S.C. §102(b) (claims 1-7, 11-17) (U.S. 5,761,166)

The Examiner rejects claims 1-7 and 11-17 under 35 U.S.C. §102(b) as being anticipated by Sedimayr et al., U.S. 5,761,166 ("the Sedimayr patent").

Regarding claim 1, the applicants have amended independent claims 1 to overcome the rejection. More particularly, the amendment has introduced a sequence of events as suggested by the Examiner. Amended claim 1 now recites, "unparking a second memory to enable entering the application data in the second memory." (Claim 1) The applicants respectfully assert that the Sedimayer patent does

not teach the sequence of events recited in amended claim 1 and so request withdrawal of its rejection.

Regarding claims 2-5, those claims depend from amended claim 1 and so contain each of its limitations. For at least the reasons stated above for claim 1, the applicants request withdrawal of the rejections of claims 2-5.

Regarding claim 6, the applicants have amended independent claims 6 to overcome the rejection. More particularly, the amendment has introduced a sequence of events as suggested by the Examiner. Amended claim 6 now recites, "unparking a first memory to enable writing the application data in said first memory" and "parking the first memory in response to the first memory completing the writing of the application data" and unparking a second memory in response to the first memory completing the writing of the application data."(Claim 6) The applicants respectfully assert that a sequence of events has been introduced and that the Sedimayer patent does not teach the sequence of events recited in amended claim 6. Withdrawal of the rejection of claim 6 is respectfully requested.

Regarding claim 7, it depends from amended claim 6 and so contains each of its limitations. For at least the reasons stated above for claim 6, the applicants request withdrawal of the rejection of claims 7.

Regarding claim 11, the applicants have amended independent claim 11 to overcome the rejection. More particularly, the amendment has introduced a sequence of events as suggested by the Examiner. Amended claim 11 now recites, "unpark the second memory to enable receipt of the application data by the second memory." The applicants respectfully assert that the Sedimayer patent does not teach the sequence of events recited in amended claim 11 and so request withdrawal of its rejection.

Regarding claims 12-13, these claims depend from claim 11 and so contain each of its limitations. For at least the reasons stated above for amended claim 11 the applicants respectfully request withdrawal of their rejections.

Regarding claim 14, the applicants respectfully traverse the rejection. Claim 14 recites, "writing the data in succession to each of said memories; and parking each memory upon completion of each memory's data write and prior to writing the data to the next memory." (Claim 14) The applicants believe that the claim's text clearly discuss a sequence of events and at what intervals. In particular, each memory is parked upon completion of each memory's data write. The data write to each memory is recited as "in succession." (Claim 14) The applicants respectfully request the Examiner to reconsider and withdraw the rejection of claim 14 and its dependent claims 15-17 based on this assertion.

35 U.S.C. §102(b) (claims 1-7, 11-17) (U.S. 6,249,890 and 6,249,890)

The Examiner rejects claims 1-7 and 11-17 under 35 U.S.C. §102(b) as being anticipated both by Fiske, U.S. 6,078,471 ("the Fiske patent") and Ukani et al., U.S. 6,249,890 ("the Ukani patent"). The Examiner uses the same text in these two rejections as that used to reject the claims under the Sedimayr patent, above. The Examiner also refers the applicants to a general discussion on parking at Col. 7, line 62 through Col. 8, line 8 in the Fiske patent and Col. 10, line 65 to Col 11, line 33 of the Ukani patent.

Regarding claims 1-7 and 11-13, the applicants have amended the independent claims 1, 6 and 11 to overcome their rejections and the rejections of their respective dependent claims (2-5, 7, 12-13, respectively) by introducing a sequence of events that is not taught by the cited references. See Supra. The applicants respectfully request withdrawal of the

rejections of amended claims 1, 6 and 11 as well as the rejections of their respective dependent claims 2-5, 7 and 12-13 based on the points, above.

Regarding claim 14, the applicants respectfully traverse the rejection. As described above for the 102(b) rejection under the Sedimayr patent, respectfully assert that the claim's text clearly discuss a sequence of events and at what intervals. In particular, each memory is parked upon completion of each memory's data write. The data write to each memory is recited as "in succession." (Claim 14) The applicants respectfully request the Examiner to reconsider his rejection of claim 14 and its dependent claims 15-17 based on this assertion.

Additional Issues (Claims 1-7 and 11-17)

Alternatively, the applicants respectfully assert that the Examiner has not presented sufficient information to address the 102(b) rejection of claims 1-7 and 11-17 with respect to the Sedimayr, Fiske and Ukani patents because the references relied on to support the rejections are not positively included in the statement of the rejections. See MPEP 706; 37 CFR 1.104(c)(2); See In re Hoch, 166 USPQ 406, 407 n. 3 (CCPA 1970). The Examiner has only cited a general discussion of the concept of "parking" without tying the specific elements of the applicants' claims 1-7 and 11-17 to specific methods in the Sedimayr, Fiske and Ukani patents for the 102(b) rejections. The applicants hope that their understanding of the Examiner's various positions are correct in the above discussions, but fear that the lack of positive identification has prevented early identification of the issues and reduced the likelihood of a fair opportunity to reply. If our understanding is in error and the Examiner maintains such rejections, the applicants respectfully assert

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that such further Office Action needs to be a non-final Office Action.

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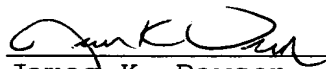
*Conclusion*

The applicants believe claims 1-17 are now in condition for allowance. Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted,

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